



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB5475

Introduced 2/5/2010, by Rep. Mary E. Flowers

#### SYNOPSIS AS INTRODUCED:

30 ILCS 105/5.755 new  
210 ILCS 85/6

from Ch. 111 1/2, par. 147

Amends the State Finance Act and the Hospital Licensing Act. Provides that applicants for a license to open, conduct, and maintain a hospital, shall be required to pay an initial licensing fee of no less than \$1,000 and an annual renewal fee of no less than \$300, and that any hospital facility or licensee that has permitted its license to lapse or that fails to pay the annual renewal fee within a timeframe established by the Department of Public Health shall pay a restoration fee of no less than \$100 and a lapsed renewal fee not to exceed \$600. Further provides that all fees collected shall be deposited into the Improved Access to Health Care Fund, a special fund created in the State treasury, and that money contained in or credited to the fund shall be used for improving access to health care. Effective immediately.

LRB096 18362 KTG 33739 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The State Finance Act is amended by adding  
5 Section 5.755 as follows:

6 (30 ILCS 105/5.755 new)

7 Sec. 5.755. The Improved Access to Health Care Fund.

8 Section 10. The Hospital Licensing Act is amended by  
9 changing Section 6 as follows:

10 (210 ILCS 85/6) (from Ch. 111 1/2, par. 147)

11 Sec. 6. (a) Upon receipt of an application for a permit to  
12 establish a hospital the Director shall issue a permit if he  
13 finds (1) that the applicant is fit, willing, and able to  
14 provide a proper standard of hospital service for the community  
15 with particular regard to the qualification, background, and  
16 character of the applicant, (2) that the financial resources  
17 available to the applicant demonstrate an ability to construct,  
18 maintain, and operate a hospital in accordance with the  
19 standards, rules, and regulations adopted pursuant to this Act,  
20 and (3) that safeguards are provided which assure hospital  
21 operation and maintenance consistent with the public interest

1 having particular regard to safe, adequate, and efficient  
2 hospital facilities and services.

3 The Director may request the cooperation of county and  
4 multiple-county health departments, municipal boards of  
5 health, and other governmental and non-governmental agencies  
6 in obtaining information and in conducting investigations  
7 relating to such applications.

8 A permit to establish a hospital shall be valid only for  
9 the premises and person named in the application for such  
10 permit and shall not be transferable or assignable.

11 In the event the Director issues a permit to establish a  
12 hospital the applicant shall thereafter submit plans and  
13 specifications to the Department in accordance with Section 8  
14 of this Act.

15 (b) Upon receipt of an application for license to open,  
16 conduct, operate, and maintain a hospital, the Director shall  
17 issue a license if he finds the applicant and the hospital  
18 facilities comply with standards, rules, and regulations  
19 promulgated under this Act. A license, unless sooner suspended  
20 or revoked, shall be renewable annually upon approval by the  
21 Department. Each license shall be issued only for the premises  
22 and persons named in the application and shall not be  
23 transferable or assignable. Licenses shall be posted in a  
24 conspicuous place on the licensed premises. The Department may,  
25 either before or after the issuance of a license, request the  
26 cooperation of the State Fire Marshal, county and multiple

1 county health departments, or municipal boards of health to  
2 make investigations to determine if the applicant or licensee  
3 is complying with the minimum standards prescribed by the  
4 Department. The report and recommendations of any such agency  
5 shall be in writing and shall state with particularity its  
6 findings with respect to compliance or noncompliance with such  
7 minimum standards, rules, and regulations.

8 The Director may issue a provisional license to any  
9 hospital which does not substantially comply with the  
10 provisions of this Act and the standards, rules, and  
11 regulations promulgated by virtue thereof provided that he  
12 finds that such hospital has undertaken changes and corrections  
13 which upon completion will render the hospital in substantial  
14 compliance with the provisions of this Act, and the standards,  
15 rules, and regulations adopted hereunder, and provided that the  
16 health and safety of the patients of the hospital will be  
17 protected during the period for which such provisional license  
18 is issued. The Director shall advise the licensee of the  
19 conditions under which such provisional license is issued,  
20 including the manner in which the hospital facilities fail to  
21 comply with the provisions of the Act, standards, rules, and  
22 regulations, and the time within which the changes and  
23 corrections necessary for such hospital facilities to  
24 substantially comply with this Act, and the standards, rules,  
25 and regulations of the Department relating thereto shall be  
26 completed.

1       (c) Applicants for a license to open, conduct, and maintain  
2 a hospital shall be required to pay an initial licensing fee of  
3 no less than \$1,000 and an annual renewal fee of no less than  
4 \$300. Any hospital facility or licensee that has permitted its  
5 license to lapse or that fails to pay the annual renewal fee  
6 within a timeframe established by the Department shall pay a  
7 restoration fee of no less than \$100 and a lapsed renewal fee  
8 not to exceed \$600. All fees collected pursuant to this  
9 subsection shall be deposited into the Improved Access to  
10 Health Care Fund, a special fund created in the State treasury.  
11 Money contained in or credited to the fund shall be used for  
12 improving access to health care.

13       (Source: P.A. 80-56.)

14       Section 99. Effective date. This Act takes effect upon  
15 becoming law.